42.1.

UNITED STATES COURT OF APPEALS

January 27, 2010

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker **Clerk of Court**

| TIMOTHY DESHAZER, | |
|---|---|
| Plaintiff - Appellant, | |
| DOUGLAS DESHAZER; MARY DESHAZER, | |
| Plaintiffs, | |
| v. | No. 09-8076 (D.C. No. 2:03-CV-00260-CAB) |
| GODDARD PERRY AND VOGEL; GREGORY L. GODDARD, | (D. of Wyoming) |
| Defendants - Appellees. | |
| ORI | |

The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

ELISABETH A. SHUMAKER, Clerk

Elisabeta a. Shumaki